REMARKS

Claims 1-25 are pending in the present application. The Examiner has rejected claims 1, 9, and 19 and objected to claims 2-7, 10-13, and 20-22. Claims 8, 14-18, and 23-25 have been allowed.

Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1, 9, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Brownhill et al. (U.S. 5,875,189, hereafter "Brownhill") in view of Bare (U.S. 6,456,597). Applicants herein traverse these rejections.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, the references, taken alone or in combination, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be found in the prior art, and not be based on applicant's disclosure." M.P.E.P. § 2143.

Brownhill in view of Bare fail to teach or suggest elements recited in claims 1, 9 and 19. Specifically, with regards to claim 1, the combination of Brownhill and Bare fail to teach "multicast master entry including a limit field and a count field" and "initializing said count field in said multicast master entry; setting said limit field in said multicast master entry to a predetermined value; and indicating said multicast master entry inactive according to a comparison between the count field and the limit field." As stated within the Office Action

dated January 11, 2005, Brownhill does not disclose a "multicast master entry including a limit field and a count field" and "initializing said count field in said multicast master entry; setting said limit field in said multicast master entry to a predetermined value; and indicating said multicast master entry inactive according to a comparison between the count field and the limit field." The Examiner reasons that Bare overcomes Brownhill's deficiencies by including a counter for determining whether a network transmission port is faulty. However, neither Brownhill nor Bare disclose a "multicast master entry including a limit field and a count field." More specifically, Bare discloses a counter for "hello packets," wherein "hello packets" are periodically sent out to all ports. See, e.g., Bare, 17: 25-39. Each time a "hello packet" is received a counter is reset, and each time a "hello packet" is sent, the counter is incremented. Bare, 19: 38-40. As further explained in Bare, each time the counter exceeds a configured dead counter, the hello state machine returns to an initialization state to confirm that the part is no longer in the load balance domain. Bare, 19: 40-43. These "hello packets" inform the remote switch link that a load balancing switch exists on the other end of the link, wherein load balancing divides the amount of work for a computer by distributing loads fairly across all the load balancing paths (Bare, 9:13-17, 17:25-39 and 19:38-45). As taught in Bare, the "hello packet" and counter is included in each ATM switch. See, e.g., Bare, 19: 31-37. Therefore, the combination of Brownhill and Bare does not teach the elements of claim 1.

In addition, neither Brownhill nor Bare provide some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. The Examiner must consider the motive for the combination of Brownhill's invention of a multicast system within a single switch and Bare's system for propagating messages amongst a plurality of

switches. By combining the two references, the combined system would appear to be a system for propagating messages amongst a plurality of Brownhill's switches; and not Applicants' claimed invention of an "entry including a limit field and a count field". The Applicants respectfully request the Examiner to reconsider this rejection.

Claims 9 and 19 include "said multicast master entry holding address locations at which multicast ATM cells are stored, and including a limit field and a count field" and "generating one or more connection entries, each connection entries identifying a destination connection and an output port number on which ATM cells are to be transmitted, each of said connection entry including a limit field and a count field, " respectively. These claims have similar technical features to claim 1 and are allowable for the same reasons cited above with respect to claim 1.

Therefore, in view of the above remarks, the combination of Brownhill and Bare fail to disclose, teach or suggest every element of claims 1, 9 and 19. For at least these reasons, Applicants respectfully submits that claims 1, 9 and 19 are patentable over the prior art.

Allowed Claims

The Examiner has allowed claims 8, 14-18 and 23-25.

Allowable Subject Matter

The Examiner has indicated that claims 2-7, 10-13, and 20-22 are objected to "but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." However, as discussed above, the base claims are allowable. Therefore, these claims have not be rewritten in this Amendment.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: May 11, 2005

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